IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL WRIT PETITION NO.719 OF 2007

Vijay Yashwant Mohite ...Petitioner.
V/s.
The State of Maharashtra & Anr. ...Respondents.

Shri M.P.Mishra, adv. for the Petitioner.
Shri D.P.Adsule APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 21st April, 2007.

P.C.:

1. Heard Mr.Mishra the learned counsel for the petitioner and Mr.Adsule the learned APP for the State.

2. In Criminal Case No. 1054/C/02 filed by the respondent no.2, the Metropolitan Magistrate, 49th Court, Vikroli had convicted and sentenced the present petitioner as per the judgment and order dated 8th November, 2005. According to the petitioner, he preferred an appeal before the Sessions Court and that appeal was admitted on 24-11-2006 subject to his depositing an amount of Rs.50,000/- on or before 20th January, 2007 and the N.B.W. issued against him was also cancelled. According to the petitioner because of the financial difficulties, he could not deposit that amount and the Sessions Court had issued N.B.W. against him. The matter is now posted on 4th June, 2007.

Mr.Mishra makes a statement that the petitioner is willing to deposit an amount of Rs.50,000/- on or before 4th June, 2007 and also to appear before the Sessions Court. With this he makes a request that N.B.W. may be cancelled. Taking into consideration this statement, I find that notice is not required to be sent to the respondent no.2 and the petition may be disposed off with certain directions.

3. Subject to the petitioner depositing an amount of Rs.50,000/- before the Sessions Court on or before 4th June, 2007 and subject to his appearing before the Sessions Court on 4th June, 2007 as per the statement, execution of N.B.W. is hereby stayed till 4th June, 2007. In case, he complies with these directions, N.B.W. issued against him shall stand cancelled.

4. With the aforesaid directions, this petition stands disposed off.

(J.H.Bhatia,J.)